AGREEMENT

BETWEEN

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF NEW BRUNSWICK

CONCERNING

TRANSBOUNDARY ENVIRONMENTAL IMPACTS

THE GOUVERNEMENT DU QUÉBEC

represented by the Minister of the Environment, Mr. André Boiclair, and the Minister for Canadian Intergovernmental Affairs, Mr. Joseph Facal

AND

THE GOVERNMENT OF NEW BRUNSWICK

represented by the Minister of the Environment and Local Government, the Honorable Ms. Kim Jardine

Hereinafter designated the parties,

WHEREAS, Québec and New Brunswick are both deeply concerned about issues relating to public health and the environment ;

WHEREAS, Québec and New Brunswick share a common boundary and may be potentially affected by transboundary environmental problems ;

WHEREAS, Québec and New Brunswick recognize that transboundary environmental impacts require mutual understanding and a commitment to environmental protection ;

WHEREAS, Québec and New Brunswick recognize the need to establish regular communications to address environmental issues that may adversely impact either or both parties; and

WHEREAS, Québec and New Brunswick will mutually benefit by sharing information and respective expertise and by potentially joining in studies or research projects that may have transboundary implications.

NOW, THEREFORE, the parties hereby agree to the following :

ARTICLE 1: PURPOSE OF THE AGREEMENT

The parties wish to encourage mutual understanding and cooperation on transboundary environmental issues, including, but not limited to :

- air quality and atmospheric pollutants ;
- acid rain reduction ;
- surface and groundwater management ;
- monitoring and reduction of pollution in rivers, lakes and waterways ;
- agricultural pollution.

ARTICLE 2: OBJECTIVES SOUGHT

By entering into this agreement, the parties express their will to establish, in compliance with the laws, regulations and procedures of Quebec and of New Brunswick, information exchange and joint cooperation mechanisms in areas related to transboundary environmental impacts between Québec and New Brunswick, with the following objectives:

- To promote sharing of knowledge and expertise on transboundary environmental impacts ;

- To identify sectors in which it is desirable to define joint projects and actions able to prevent and correct transboundary pollution ;

- To jointly implement measures to prevent transboundary environmental impacts whenever both parties deem it necessary ;

- To apprise and consult with each other, whenever feasible, before permitting or undertaking any activity or project within their jurisdiction that may have the potential to cause significant adverse transboundary environmental impacts ;

- To advise, consult and, potentially or where appropriate, assist each other in the event of any incident of natural or accidental origin that may have the potential to cause adverse transboundary environmental impacts ;

- To encourage participation of the parties in the environmental assessment process of Quebec and of New Brunswick related to any activity or project that may have the potential to cause significant adverse transboundary environmental impacts ;

- To share expertise about ecology of the territory with a view toward sustainable development ;

- To implement consultation and coordination mechanisms to promote cooperation and dialogue provided for in this agreement, in accordance with the laws, regulations and procedures of Quebec and of New Brunswick.

ARTICLE 3: IMPLEMENTATION

To fulfil these objectives, the parties agree:

A. To each designate a person as liaison for the implementation of the terms of this Agreement ;

B. To establish by January 2002 a joint task force that will meet at least once a year. This task force will :

   - Share information on any issue related to transboundary environmental impacts on a regular basis ;

   - Develop a plan and an annual program to address the objectives set forth in Article 2, and oversee its implementation ;

   - Report annually to respective authorities.

ARTICLE 4: AMENDMENTS

To ensure efficiency in dealing with common transboundary environmental issues, the parties may, by joint agreement, amend this agreement at any time by exchange of letters.

ARTICLE 5: COMING INTO FORCE

This agreement will be in force for a five-year period as of the date of its signature. It shall be renewed automatically for successive five-year periods unless one of the parties sends a written notice of termination to the other party six months prior to the expiration date.

Signed in Québec this 13th day of November 2001, in duplicate.

FOR THE GOVERNMENT OF QUÉBEC

Original signed

Monsieur André Boisclair
Ministre de l'Environnement

Original signed

Monsieur Joseph Facal
Ministre délégué aux Affaires intergouvernementales canadiennes

FOR THE GOVERNMENT OF NEW BRUNSWICK

Original signed

Honorable Kim Jardine
Minister of Environment and Local Government